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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,011	01/26/2004	William P. Anderson	BLO1134-003F	1286
8698	7590	11/28/2007		
STANDLEY LAW GROUP LLP 495 METRO PLACE SOUTH SUITE 210 DUBLIN, OH 43017			EXAMINER POINVIL, FRANTZY	
			ART UNIT 3692	PAPER NUMBER
			MAIL DATE 11/28/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/765,011	Applicant(s) ANDERSON ET AL.	
	Examiner Frantzy Poinvil	Art Unit 3692	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 September 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 3-8, 10-15, 17-23, 25-42 and 44-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-8, 10-15, 17-23, 25-42 and 44-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 9/6/2007 have been fully considered but they are not persuasive.
2. The Examiner's response is incorporated in the rejection found below.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chancey et al. (US Patent No. 5,842,185) in view of Atkins (US Patent No. 4,953,085).

As per claims 1-2, 4-9, 11-16, 18-24, 26-36, 38-44 and 46, Chancey et al disclose a system and method for the operation of a financial account. The system and method comprise collecting and transmitting at least daily financial transactions data from a plurality of financial institutions for a plurality of users (see column 4, lines 4-42) as Chancey et al teach a plurality of financial institutions transmit a customer's financial information using respective computers to a remote source (similar to the claimed "database accessible from a server"). Chancey et al further teach prompting one of the pluralities of users for viewing financial information. Chancey et al

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also teach requesting from the database, financial transaction data for a customer's first and second account having a related first and second account number. See column 5, lines 24-35 of Chancey et al. Chancey et al also teach presenting the financial transaction data for the first and second account numbers to the one of the plurality of users. See also column 5, lines 24-35 of Chancey et al.

The only difference between Chancey and the claimed invention is that Chancey et al do not prompt the one of the plurality of users for individual first and second account number for financial transaction data from a respective first and second financial institution. As per this limitation, the Examiner asserts that this is a trivial difference as such would have been obvious to one of ordinary skill in the art to modify Chancey et al by providing users the choice to view only selected financial transaction data as would have been desired.

The system and method of Chancey et al perform similarly to an OnLine system and method. The only difference between Chancey et al and the claimed invention is that Chancey et al do not explicitly state that a user may access their particular account via a website or a browser. However, Chancey et al state that a user accesses these data remotely and customers' account data are retrieved from remote files for incorporated into their computer system. See column 5 and figure 4 of Chancey et al.

Systems for using a remote computer to access remote data from a server was well practiced in the art at the time of the applicant's invention. Atkins states that through their system, a user or client may access news or financial information via CompuServe which is a web enabling system as Atkins states:

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“Through the system of the invention the client can also access a host of ancillary investment news, information, advice, and counseling. In particular, a client can access a current news and information database such as Dow Jones News Retrieval.TM., The Source.TM. and Compuserve.TM”. See column 9, lines 8-13.

From these teachings or suggestions, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Chancey et al with Atkins by providing a user with the easy manner of accessing information from a remote server from anywhere in the world.

Chancey et al further teach creating and presenting to their clients a report comprising financial transaction data. See columns 4 and 5 of Chancey et al.

Applicant's representative argues that Chancey is silent as to how a report or statement is created and who has created it.

In response, whether or not such is disclosed by Chancey et al are irrelevant as such is not being claimed. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., who creates a report and how it is created) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant's representative then argues that in Chancey et al, a report is generated before it is requested whereas in their claimed invention, a report is generated after is requested.

In response, the sequence of the report generated after it is requested does not bring patentable differences whether the report is generated before it is requested since the purpose or objective in Chancey et al and in the claimed invention are to provide a financial report or statement to a client. Furthermore, applicant's arguments that Chancey et al teach away from the claimed invention are not convincing because on column 3, line 23-42, Chancey et al state that a user makes a request for an electronic statement. The user is prompted to indicate the location of the electronic statement, whether online or on a floppy disc. The electronic statement was created at a remote site or was present at a remote site in the same manner that the claimed requested financial transaction was created at a remote site. When such is requested it is then sent to the requestor. Thus, no patentable distinction exist between the claimed invention and the system of Chancey et al. Furthermore, it should be noted that the claims as amended recite a first, second and third financial transaction are requested by at least a first, second and third requestor and a report is to be generated for the at least first, second and/or third requestor. As per these limitations, in the system and method of Chancey et al, there exist a plurality of clients having a plurality of accounts and performing a plurality of financial transactions. One or more financial transactions or accounts may be common to one or more clients. Thus, the function of generating any report to be transmitted or displayed to a client or to one or more client would have

been obvious to one of ordinary skill in the art to do as long as the requester identification is validated.

As per claims 3, 10, 17, 25, 37 and 45, Chancey et al teach transmitting the financial transaction data to an accounting software package at the one of the plurality of user's computer. See column 4, lines 6-22. In the system of Chancey et al., the user or client transmits their account file or financial transaction data to their accounting software file.

**4. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

### ***Conclusion***

**5.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-

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6797. The examiner can normally be reached on Monday-Thursday from 7:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



**Frantzy Poinvil**  
**Primary Examiner**  
**Art Unit 3692**

FP  
October 22, 2007